

**REMARKS**

This Application has been carefully reviewed in light of the Office Action. Claims 1-4 and 7-16 are pending in the Application. The Office Action rejects Claims 1-4 and 7-16. Applicants have added Claims 45-66. Reconsideration and favorable action are requested.

**Rejections Under 35 U.S.C. § 103:**

The Office Action rejects Claims 1-4 and 7-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,532,215 to Muntz (“*Muntz*”) in view of U.S. Patent No. 6,909,781 to Itri (“*Itri*”) and further in view of U.S. Patent Application Pub. No. 2002/0118819 filed by Li (“*Li*”). Applicants respectfully traverse these rejections.

Independent Claim 1 is allowable at least because the combination of *Muntz*, *Itri*, and *Li* proposed in the Office Action fails to disclose, expressly or inherently, “terminating the combined channel with a termination network, the termination network having a desired impedance.” The Office Action relies on an isolation circuit 804 of *Itri* as teaching this limitation. *See Office Action*, Page 3. This reliance, however, is misplaced. For example, isolation circuit 804 is merely an isolation circuit, not a termination circuit. *See Itri*, Col. 7, Lines 60-64.

Despite the fact that isolation circuit 804 is clearly not a termination circuit, the Advisory Action mailed June 27, 2007 (“Advisory Action”) contends that “the isolation circuit of *Itri* can be broadly interpreted to be a ‘termination circuit’.” *See Advisory Action*, Continuation Sheet. This is incorrect. For example, *Itri* expressly discloses:

Continuing with reference to FIG. 8, the signals carried by tip input 851 and ring input 852 ***pass through*** an isolation circuit 804.

*See Itri*, Col. 7, Lines 60-62 (emphasis added). *Itri* further discloses:

Accordingly, the input impedance of the tip input 851 and ring input 852 may be made high enough to compensate for the size of the isolation resistance elements (830-833) to ***minimize signal losses***.

*See Itri*, Col. 8, Lines 5-8 (emphasis added). Additionally, any configurations of the isolation circuit 804 of *Itri* are expressly limited to configurations that “accomplish the function of the isolation circuit 804 ***within the scope of the present invention***.” *See Itri*, Col. 8, Lines 9-11 (emphasis added). The purpose of the isolation circuit 804 of *Itri*, and thus the scope of the invention of *Itri*, is to maintain DC isolation while ***passing through*** the received signals so

that they may be tested. *See Itri*, Col. 7, Lines 28-64. Therefore, not only does the isolation circuit 804 of *Itri* fail to disclose a termination circuit, but it clearly fails to disclose anything that can be broadly interpreted as a termination circuit. As a result, *Itri* fails to disclose, expressly or inherently, “terminating the combined channel with a termination network, the termination network having a desired impedance” of Claim 1.

Consequently, the combination of *Muntz*, *Itri*, and *Li* proposed in the Office Action fails to disclose the limitations of Claim 1. For at least this reason, Independent Claim 1 is allowable, as are Claims 2-4 and 7-16 that depend therefrom. Reconsideration and favorable action are requested.

#### **New Claims 45-66**

Similar to Independent Claim 1, Independent Claims 45, 55, 60, 65, and 66 include limitations related to “terminating the combined channel with a termination network, the termination network having a desired impedance.” Therefore, for at least the reasons discussed above in regard to Independent Claim 1, Independent Claims 45, 55, 60, 65, and 66 are allowable, as are Claims 46-54, 56-59, and 61-64 that depend therefrom. Reconsideration and favorable action are requested.

#### **New Claims 45-59**

Independent Claim 45 is further allowable at least because the combination of *Muntz*, *Itri*, and *Li* proposed in the Office Action fails to disclose, expressly or inherently, “detecting, by the digital signal processor, any resulting signal in the receive channel to determine whether any components in the transmit channel or receive channel are malfunctioning.” The Office Action relies on the area between DAC 32 and line driver 46 of *Muntz* as teaching a transmit channel, and the area between ADC 34 and line receiver 48 as teaching a receive channel. *See Office Action*, Page 3. Even if this is correct, which Applicants do not concede, *Muntz* still fails to disclose “detecting, by the digital signal processor, any resulting signal in the receive channel to determine whether any components in the transmit channel or receive channel are malfunctioning.” For example, *Muntz* discloses merely determining whether there are fault conditions in the *medium 58*. *See Muntz*, Col. 8, Lines 2-6; *see also Muntz*, Col. 9, Lines 42-52. This medium 58 of *Muntz*, however, not only fails to disclose either a transmit channel or a receive channel, but the Office Action relies on the medium 58 of

*Muntz* to disclose a **combined channel**. See *Office Action*, Page 3 (stating “a medium 58 (combined channel)”). Therefore, even if this reliance is correct, which Applicants do not concede, *Muntz* fails to disclose, expressly or inherently, “detecting, by the digital signal processor, any resulting signal in the receive channel to determine whether any components in the **transmit channel or receive channel** are malfunctioning” of Claim 45 (emphasis added).

Consequently, the combination of *Muntz*, *Itri*, and *Li* proposed in the Office Action fails to disclose the limitations of Claim 45. For at least this additional reason, Independent Claim 45 is allowable, as are Claims 46-54 that depend therefrom. For analogous reasons, Independent Claim 55 is allowable, as are Claims 56-59 that depend therefrom. Reconsideration and favorable action are requested.

**CONCLUSION**

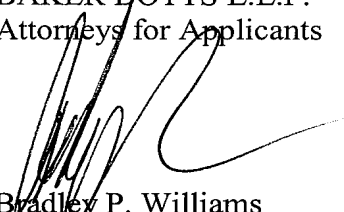
Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, please feel free to contact the undersigned attorney for Applicants.

Applicants believe no fees are due. Nonetheless, the Commissioner is hereby authorized to charge any other fees and/or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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